

ISMAIL J. RAMSEY (CABN 189820)
United States Attorney

THOMAS A. COLTHURST (CABN 99493)
Chief, Criminal Division

E. WISTAR WILSON (CABN 324705)
Special Assistant United States Attorney

150 Almaden Boulevard, Suite 900
San Jose, California 95113
Telephone: (408) 535-5061
FAX: (408) 535-5081
wistar.wilson@usdoj.gov

Attorneys for United States of America

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

UNITED STATES OF AMERICA,)	NO. 5:23-MJ-70713-MAG
)	
Plaintiff,)	STIPULATION TO CONTINUE DETENTION
)	HEARING, TO EXCLUDE TIME FROM MAY 26,
v.)	2023 TO MAY 30, 2023, TO EXTEND
)	DEADLINES UNDER FRCP 5.1, AND
DANNY WILLIAM GODDARD,)	[PROPOSED] ORDER
)	
Defendant.)	

It is hereby stipulated by and between counsel for the United States and counsel for the defendant DANNY WILLIAM GODDARD, subject to the Court's approval, that the detention hearing currently set for May 26, 2023 at 1:00 p.m. be continued to May 30, 2023 at 1:00 p.m., that time be excluded under the Speedy Trial Act from May 26, 2023 through May 30, 2023, and that the time limits for a preliminary hearing under Federal Rule of Criminal Procedure 5.1 be extended during that period.

The reason for the requested continuance is to allow the defense additional time to prepare for the detention hearing, including by investigating a release plan. The government and counsel for the defendant agree that time should be excluded under the Speedy Trial Act so that defense counsel can continue to prepare, including by investigating a release plan. For this reason and as further stated on

STIP. TO CONT., EXCLUDE TIME, AND EXTEND TIME LIMITS, AND [PROPOSED] ORDER
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1 the record at the initial appearance, the parties stipulate and agree that excluding time until May 30,
2 2023 will allow for the effective preparation of counsel. *See* 18 U.S.C. § 3161(h)(7)(B)(iv). The parties
3 further stipulate and agree that the ends of justice served by excluding the time from May 26, 2023
4 through May 30, 2023 from computation under the Speedy Trial Act outweigh the best interests of the
5 public and the defendant in a speedy trial. 18 U.S.C. § 3161(h)(7)(A), (B)(iv). The parties also agree
6 that, taking into account the public interest in the prompt disposition of cases, good cause exists for an
7 extension of the time limits for a preliminary hearing under Federal Rule of Criminal Procedure 5.1
8 during the period May 26, 2023 through May 30, 2023.

9 The undersigned Assistant United States Attorney certifies that she has obtained approval from
10 counsel for the defendant to file this stipulation and proposed order.

11 IT IS SO STIPULATED.

12
13 DATED: May 25, 2023

/s/

E. WISTAR WILSON
Special Assistant United States Attorney

14
15 DATED: May 25, 2023

/s/

TAMARA A. CREPET
Assistant Federal Public Defender
Counsel for Defendant DANNY GODDARD

[PROPOSED] ORDER

Based upon the facts set forth in the stipulation of the parties and for good cause shown, the Court finds that the detention hearing set for May 26, 2023 at 1:00 p.m. should be continued to May 30, 2023 at 1:00 p.m., and that failing to exclude the time from May 26, 2023 through May 30, 2023 would unreasonably deny defense counsel and the defendant the reasonable time necessary for effective preparation, taking into account the exercise of due diligence. 18 U.S.C. § 3161(h)(7)(B)(iv). The Court further finds that the ends of justice served by excluding the time from May 26, 2023 to May 30, 2023 from computation under the Speedy Trial Act outweigh the best interests of the public and the defendant in a speedy trial. The Court also finds, with the consent of the defendant, and taking into account the public interest in the prompt disposition of criminal cases, that good cause exists to extend the time limits for a preliminary hearing under Federal Rule of Criminal Procedure 5.1 during the time period May 26, 2023 to May 30, 2023. Therefore, and with the consent of the parties, IT IS HEREBY ORDERED that the detention hearing scheduled for May 26, 2023 at 1:00 p.m. shall be continued to May 30, 2023 at 1:00 p.m., that time from May 26, 2023 through May 30, 2023 shall be excluded from computation under the Speedy Trial Act. 18 U.S.C. § 3161(h)(7)(A), (B)(iv), and that the time limits for a preliminary hearing under Federal Rule of Criminal Procedure 5.1 shall be extended during the time period May 26, 2023 through May 30, 2023.

IT IS SO ORDERED.

DATED: _____

HON. SUSAN VAN KEULEN
United States Magistrate Judge